

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 5, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:19 a.m. Mayor O'Connor welcomed representatives from Atlanta, Georgia, who were present. The meeting was recessed by Mayor O'Connor at 11:41 a.m. to meet in Closed Session in the twelfth floor conference room on pending litigation and to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:00 p.m. with no quorum present. A quorum was present at 2:13 p.m. with Council Members Pratt, Bernhardt, Henderson, and McCarty not present. The meeting was recessed by Mayor O'Connor at 2:17 p.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 2:20 p.m. with Council Member McCarty not present. Mayor O'Connor adjourned the meeting at 2:44 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-excused R-277406
(SANDAG NARC Conference in Washington, D.C.)
- (8) Council Member Filner-present

Clerk-Abdelnour, Fishkin (eb, so)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

ITEM-310: PRESENTATION

Presentation to the Mayor and Council, on behalf of the City of Nanaimo, British Columbia, by Alderman Owen D. Kennedy.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-158.)

Presentation made by Alderman Owen D. Kennedy, City of Nanaimo, British Columbia.

ITEM-330: (R-91-1385) ADOPTED AS RESOLUTION R-277320
DENYING APPEAL, DENYING PERMIT

Appeal of B & G Holding Co., Inc., by Matthew A. Peterson of Peterson and Price, from the decision of the Planning Commission in denying Coastal Development Permit CDP-89-1209 (Vista del Mar Condos), proposing to demolish two (2) residential structures totaling 5,800 square-feet (excludes garages), and constructing two (2) new residential structures. The subject property is a 7,683 square-foot lot located at the southeast corner of Vista del Mar and Gravilla Avenues, in Zone R-3000, in the La Jolla Community Plan area, and is further described as Lots 6, 7, 8, and a portion of Lot 9 of Map-1216.

(CDP-89-1209. District-1.)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM CDP-89-1209

COUNCIL ACTION: (Tape location: A027-103, A225-B520.)

Hearing began 10:21 a.m. and recessed 10:28 a.m.

Hearing resumed 10:38 a.m. and halted 11:40 a.m.

Testimony in favor by Matt Peterson.

Testimony in opposition by Carl B. Lind, Dave Odell, William R. H. Smith, and Donald Farnsworth.

MOTION BY WOLFSHEIMER TO DENY THE PROJECT AS THE FINDINGS E, F, AND G, LISTED IN THE PLANNING DEPARTMENT REPORT REQUIRED TO APPROVE THE PROJECT, CANNOT BE MADE. WITH RESPECT TO FINDING F: THE PROJECT IS VISUALLY INCOMPATIBLE WITH THE NEIGHBORHOOD. WITH RESPECT TO FINDING G: THE PROJECT DOES NOT MEET THE INTENT OF THE DEVELOPMENT STANDARDS OF THE ZONE AS TO THE FAR, HEIGHT, ALTERED GRADE AND SETBACK REQUIREMENTS. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-nay, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-91-1229) ADOPTED AS RESOLUTION R-277322

Determining that the use of funds from the Horton Plaza and the Columbia Low and Moderate Income Housing Fund to pay part of the cost of rehabilitating the housing under a proposed Housing Rehabilitation Agreement between the Redevelopment Agency of the City of San Diego and the San Diego Housing Commission will be of benefit to the Horton Plaza and Columbia Redevelopment Projects.

(See memorandum from CCDC Executive Vice President dated 1/22/91. Centre City Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C095-119.)

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MOTION BY ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (R-91-1228) RETURNED TO CITY MANAGER

Approving the Housing Rehabilitation Agreement between the Redevelopment Agency and Downtown Senior Center; authorizing the use of funds from the Horton Plaza Low and Moderate Income Housing Fund to pay part of the cost of reconstructing the housing; determining that such use will be of benefit to the Horton Plaza Redevelopment Project.

(See memorandum from CCDC Executive Vice President dated 1/23/91. Centre City Community Area. District-8.)

FILE LOCATION: MEET CONT FY91-1

COUNCIL ACTION: (Tape location: C120-140.)

MOTION BY ROBERTS TO RETURN TO THE CITY MANAGER TO DETERMINE IF FUNDING IS NEEDED FOR THIS PROJECT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-ineligible.

ITEM-S500: (R-91-1284) ADOPTED AS RESOLUTION R-277324

Proclaiming February 1991, to be African-American History Month in San Diego, to be presented to the Mayor's Black Advisory Board and shared with the African-American Community in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C056-080.)

MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: (O-91-122) INTRODUCED, TO BE ADOPTED FEBRUARY 19, 1991

(Continued from the meetings of August 7, 1990, Item 331, September 18, 1990, Item 341, October 16, 1990, Item 338, October 29, 1990, Item 215, December 10, 1990, Item 210 and January 9, 1991, Item 210; referred to the City Attorney's Office from the meeting of January 29, 1991, Item 334, to redraft the ordinance with amendments requested by Council and bring back to Council for introduction.)

A proposal for amendments to the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code, including: deletion of certain exemptions and exclusions; changes to the regulations relating to biologically sensitive lands, hillsides and floodplains; changes to the findings and alternative compliance procedure; addition of a procedure to apply the ordinance to long range plans; and other amendments. The City Council will also consider the Resource Protection Ordinance Administrative Guidelines.

(City-wide.)

Introduction of an Ordinance amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C080-095.)

Hearing began at 2:25 p.m. and halted at 2:18 p.m.

MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

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ITEM-S502: (R-91-1159 Rev.) ADOPTED AS AMENDED AS
RESOLUTION R-277323

(Continued from the meetings of January 15, 1991, Item S503, January 22, 1991, Item S407, and January 29, 1991, Item S500; last continued at the City Attorney's request, for further review.)

Authorizing the Auditor and Comptroller to transfer within the General Fund 100, the sum of \$500,000 from the Unallocated Reserve (605) to the Allocated Reserve (901) to provide supplemental funds to be expended solely and exclusively for the purpose of defraying costs incurred in the opposition to the proposed merger of San Diego Gas and Electric Company and Southern California Edison.

Aud. Cert. 9100526.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C140-479.)

MOTION BY BERNHARDT TO ADOPT RESOLUTION AS AMENDED TO: 1) SUPPORT THE CPUC JUDGES' RECOMMENDATION TO REJECT THE MERGER AND CALL FOR THE COMMISSIONERS TO ADOPT THAT RECOMMENDATION; AND 2) REFER TO THE RULES COMMITTEE TO FORM AN ADVISORY COMMITTEE, IN CONJUNCTION WITH THE COUNTY, TO INVESTIGATE THE VIABILITY OF THE UTILITY AND ASSIST IN THE RECONNECTION OF THE UTILITY TO THE SAN DIEGO COMMUNITY. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S503: (R-91-1281) ADOPTED AS RESOLUTION R-277321

Declaring Saturday, February 9, 1991 as "El Cajon Boulevard Drug Free Zone Day" in the City of San Diego; supporting the pledge found in the Drug Free Bill of Rights and continuing our nation's ongoing war against drugs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-224.)

MOTION BY COMMON CONSENT TO ADOPT. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 2:44 p.m..

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C479).